



10

Clerical Subscription and the  
Act of Uniformity.

---

A SERMON

PREACHED BEFORE

THE UNIVERSITY OF OXFORD,

ON SEXAGESIMA SUNDAY,

JANUARY 31, 1864.

BY THE

REV. T. E. ESPIN, B.D.

PROFESSOR OF PASTORAL THEOLOGY, QUEEN'S COLLEGE, BIRMINGHAM;  
RECTOR OF HADLEIGH, ESSEX, AND RURAL DEAN;  
LATE FELLOW AND TUTOR OF LINCOLN COLLEGE.

---

WITH NOTES.

---

OXFORD,  
RIVINGTONS, HIGH STREET:  
AND WATERLOO PLACE,  
LONDON.  
1864.



## A Sermon, &c.

---

2 TIMOTHY i. 13.

HOLD FAST THE FORM OF SOUND WORDS, WHICH THOU HAST HEARD  
OF ME, IN FAITH AND LOVE WHICH IS IN CHRIST JESUS.

A N attentive study of the Pastoral Epistles leaves a strong impression on the mind, that the church of St. Paul's latter days had reached a high state of organization. In every part of them we find traces, none the less striking because incidental, that the writer was dealing with a community which had worked out for itself definite and articulate principles, technical terms, recognised institutions and agencies. So far from the elaborate church apparatus of later Christendom, its divers orders and sub-orders of ministers, its authorized creeds and formularies, its carefully arranged ritual, being a departure from Apostolic simplicity; it might from these epistles be argued with great force on the contrary, that the churches of Ephesus and Crete, and consequently the Christian churches of the time generally, had already settled down from the state of solution, so to say, in which we seem to see the church of the Acts, into consistency and consolidation; and had attained an ecclesiastical development, which might in minuteness and completeness vie with that of any church known to us, mediæval or modern.

It is of course another question, whether the church system of the 5th and 6th centuries was identical with that which Timothy and Titus administered. The burden of proof, however, will lie with those who assert, that any old ecclesiastical institution, say e. g. episcopacy, was at some time or other an innovation. The details of the arrangements as ordered by St. Paul must remain in numerous respects uncertain; though many interesting points may be sufficiently ascertained by those who will candidly and patiently apply their minds; and will go to the epistles not to find in them particular doctrines or practices, but to infer from them how Christian men in those days lived, and how Christian ministers taught.

Amongst other things which the church of those early days had in common with ourselves, were standards and tests of doctrine; and these imposed as conditions of bearing office. The text is only one of several which point in one and the same direction. It is of course possible, by applying a little exegetical force, to draw both it and its cognate passages aside to other meanings. It has been urged, e. g. that the "sound words" intended are St. Paul's own words; that *ὑποτύπωσις* means not "form," but "example;" and that the import of the whole exhortation is, that Timothy is to take the Apostle's own words as a pattern for his own. So again, if a man does not wish to see that "the good profession witnessed before many witnesses" (1 Tim. vi. 12.) belongs to the time of Timothy's ordination, or to that of his appointment over the Church at Ephesus, such interpretation



cannot be demonstrated to him, though the passage certainly solicits it. And again, another weighty text, "the things which thou hast heard of me among many witnesses, the same commit thou unto faithful men, who shall be able to teach others also," (2 Tim. ii. 2.) may perhaps bear to be understood as importing simply that Timothy had heard St. Paul preach before crowded congregations, and would do well to take care that others taught as he had heard St. Paul teach. Such renderings are ingenious enough, but scarce satisfactory. They will hardly approve themselves to any except such as are resolutely set to find them in the texts. The question after all, a question sometimes overlooked in arguments from Scripture, is not what texts *may* mean, but what they *do* mean.

It will in this place hardly be questioned, what the series of texts before us does in fact indicate. It indicates, that even before the close of the first century there was not only a recognised deposit of faith which it was the bounden duty of the church to keep and to hand down; but that that deposit had already been enshrined in symbol, creed, and formulary; that security was even then taken of those admitted to Holy Orders, or to pastoral charge in the church, as to their personal adherence to such standard;—that the rulers of the church were expected to provide that those who should succeed them would maintain the same rule of faith as themselves had received.

Such a glance at the practice of Apostles and Apostolic men suggests grave thoughts which touch

in many points the state of opinion, of practice, and of controversy amongst ourselves. They supply, if any were wanted, a vindication of the practice of our own church in guarding by doctrinal tests the threshold of orders and of preferment. By such tests she seeks to take security that influence and office shall be employed to carry out and not to subvert the great plan on which she works. And that plan is to preserve and to spread certain truths for the benefit of mankind. The truths are such indeed as will morally and spiritually regenerate our race; as will renew and ennoble man's life individually, socially, and politically; but the distinguishing characteristic of the Christian church is, and always has been, to seek these great ends through the inculcation of a certain system of belief respecting God and His dealings with men. Other philosophies have attempted ends partially if not wholly the same; the peculiarity of the church is to attempt those ends in this particular way. Rightly therefore and necessarily has she from the first,—and rightly and necessarily does she still,—require from those who undertake her work personal assurances that they will prosecute it in her way.

To construct a Christian church on a non-doctrinal basis is therefore not only an experiment new in practice, but is altogether new in idea. It is a theory fundamentally different if not contrariant to that which the church has received, and which the Apostles laid down. A Christian church to claim the name at all must, it should seem, possess a fixed set of truths which she receives, of doctrines which she teaches; and these when viewed



in reference to those outside of her will inevitably be a set of dogmatic limitations.

It is clear too that the truths we speak of cannot produce their effect for good, unless they be distinctly and actively inculcated. It is clear further that their effects will be neutralized more or less, if the teaching of one of her officers contravene that of another. And hence the church must provide as best she can that the faith which she receives, as alone saving, shall be uniformly set forth and zealously enforced. For this end she asks a personal assent on the part of the teachers to the tenets they are appointed to teach. It is conceivable of course that a man may from various motives really intend to preach what he doubts, or disbelieves. But such preaching would not answer the church's purpose. To explain with clearness, to enforce with earnestness, to defend with zeal and accuracy, these can only be found in him who personally receives and believes what duty binds him to profess.

We infer that the doctrinal tests and declarations which the Church, whether of St. Paul's days or our own, demanded of her ministers could not from their very purpose and object be meant as mere articles of peace. Dogmatic standards cannot be rightly regarded in the church as having a mere negative value; subscriptions and declarations of allegiance to them cannot rightly be treated as regulative merely. From the very origin and end of these tests we see they must be, as the tenor of the words in which we adopt them imports, declarations of personal opinion on the part of him who makes them. The personal assent is required as a means

to an end, as a means of maintaining the needful unity of doctrine, as a security that such unity shall not be infringed. The church desires and can desire to enlist those only who will heartily and effectively impress what she has received as saving truth. To secure such, she must needs know on the vital points their individual opinion. From the design of doctrinal tests in the church then, not less than from the manifest bearing of their terms, it seems irresistibly to follow, that such tests amount to a personal profession on the part of him who takes them, that he thinks and believes on the matters propounded as does the church. Doctrinal tests, I say; for there are other declarations required by our church of a non-doctrinal character. These from the nature of the case and the form of their words may with not less force be shown to be promises of compliance, as distinct from professions of opinion.

But, on the one hand, if the church must, to secure the very purposes for which as a religious society she exists—if she must, to ensure the efficient conduct of her business at all—impose tests which reach down to the thoughts of the heart and the convictions of the understanding; it is no less clear, on the other hand, that demands of that kind ought not to be pushed one step further than such necessities justify. It has been said, that all men who think at all think alike. It may be so in the abstract. No doubt the more men think with simplicity and with precision, the nearer they approach to unanimity. No doubt many things are hotly disputed, which are not really at all doubtful. Our

younger brethren may rest assured, that many of the difficulties now raised against established beliefs are only relative difficulties. They may be solved satisfactorily by those who will not think to draw safe conclusions from criticism only, or from evidences only, but will thoughtfully remember, that the true result must be given by the effect of all branches of sacred research combined. Yet whilst men are what they are—whilst prejudice and passion, whilst education and interest, warp the straight working of the understanding—men cannot and will not think alike. No doctrinal tests can secure a total coincidence; nor ought such coincidence even to be sought. The assent called for ought to be restrained to the purposes for which it is needed. The church has a deposit of faith to guard and to hand down. Such measures as may seem necessary for doing this she must in faithfulness adopt.

Dogmatic tests are always the work of restless times; they are the fruit, often the only durable fruit, of controversies. Whilst men are peaceable, whilst they either do not differ, or though differing still work and worship together in love, to invent such tests would be wicked. But when disputes arise, when faith is unsettled, when men become vehement, when they proselytize, prefer schools and parties one as against another, then a remedy for a morbid state of things is found in these criteria. The rulers of such a society must take cognizance of these intestine divisions; and must prevent an approaching disintegration by authoritative dealing with them. They may decide either that the points mooted do not touch on essentials; that either



of the competing opinions may be held without impairing the faith; and so they may enjoin forbearance on the disputants, and shut up the question in general deliverances: or they may, on the contrary, satisfy themselves that this cannot be; that one side or the other holds that which is incompatible with the truths they have received. They will then make a list of such inadmissible opinions, and call on those who take office to renounce them.

The Christian church was designed for all ages and all countries. It is therefore a sin against its design when one dogma is added to its confessions of faith which could safely have been safely dispensed with. For such dogma operates from its own nature as a measure of exclusion, and straitens that which was meant to be world-wide. The larger the area of any particular branch of the church, the more sedulously must comprehensiveness be studied. Independent and intelligent men cannot in great numbers be retained within dogmatic formulas which are minute, multiform, and exacting.

Our church has dealt in this as in other respects with a moderation and reasonableness which are not always appreciated either by ourselves or by opponents. Setting forth at the outset of her Articles her own adherence to the ancient Catholic Creed, she has gone on further to declare herself on other controversies forced on her by her peculiar position, as to which also she must provide that her officers shall be with her. These questions, secondary in themselves, are to her vital: and she must for the present have the same assent to them as the

leading tenets of the faith. But with what prudence and self restraint she has stopped in dogmatizing, and contented herself with the minimum which her circumstances allow, is plain from the wide range of theological opinion which she has left free. And yet this latitude, her very excellence, is sometimes imputed to her as a fault. The divergences of churchmen are held up to scorn, as showing that her Articles fail in their purpose; as proof that herself is impotent to discern God's truth, or afraid to assert it. Yet churchmen may differ widely, may differ manifoldly, yea even on doctrines touched on in the Articles; and it will not follow that any of the contending parties are insincere in their subscriptions, or wrong in their interpretations of the Articles. Nor yet will it follow that the Articles, even those in question, are useless, or ambiguous, or that they fail to answer their purpose. The seventeenth Article, e.g. has been ridiculed by some as equivocating, hesitating, time serving. A wiser and juster sentence has, on the contrary, pronounced it the master-piece of our Reformers. For it cuts off opinions practically mischievous on either extreme, and leaves untouched dark, deep, and intricate questions, which to those who honestly receive it can remain only matters of theory. I take this Article as my example, because it refers to matters of all perhaps the most controvertible, yet which our own controversies have left behind. But it is only a specimen of a large and much undervalued class of the Articles of our church. Moderate Calvinists and moderate Arminians may and do subscribe it; many have subscribed it, and will do so whose sentiments move in



many different lines, betwixt the two extremes. Yet reason and charity may enable us to see that the subscribers are not fraudulent, and that the Article in securing the subscription of them all is precisely fulfilling its purpose. It is as if two or three men agreed to allow that this figure *is a triangle*, whilst opposed in their sentiments as to the *kind of triangle* which it should be called. Such men, and the differing subscribers to our Articles are like them, agree to the same proposition, and agree to it in one and the same sense, viz. the plain and full meaning\*. But the sense does not reach down beyond a certain point, and there it purposely stopped short. The purpose of our Articles is set out on their very front; it is to avoid diversities of opinion, and to establish consent. But the diversities of opinion to be avoided and the consent to be established refer obviously to *things determined* in the Articles, not to things *purposely left open*. Those who most carefully and thoughtfully study the Articles, will most realize the discretion and abstinence which they display. They seem to deal tenderly with the most tempting, vexed, and exciting topics of their day: and content themselves with the minimum of formula which might ward off fatal and subverting error in opinion, and keep unimpaired and untainted the motives for Christian practice.

Such considerations are commonplace, but they are not always in these days fresh on our minds.

\* This part of the argument is very clearly and forcibly stated by Waterland: "The Case of Arian Subscription considered." Works, vol. ii. pp. 286—289. Oxford, 1843.

The temperate and conciliatory spirit of our Reformers may usefully be recalled; and without impropriety suggested as a lesson to ourselves.

Descending to review the obligations which we ourselves contract as clergymen, we note next that certain of them are of an ecclesiastical, and certain others of them of a civil origin and character. There are at an Ordination pledges required of us in the name of God and the Church; to which by special Canons of the church other demands are added at actual entrance on the discharge of our functions. Briefly the church, after having qualified us for her offices, demands of us, as from her special circumstances she holds needful, acceptance of the Royal Supremacy, a promise to use her Prayer Book, and lastly an adoption of her Articles of Religion. These form the sum and substance of the familiar Articles of the 36th Canon. Let us note these obligations, their nature, and their amount.

Respecting the first of them little need be now said. It is surprising, amidst the keen discussion these topics undergo, that it should not have been lately noticed, that this obligation is completely and expressly comprehended in the thirty-seventh Article of Religion; and is therefore plainly exacted of him who "allows" those Thirty-nine Articles in mere superfluity. The second Article of the Canon, respecting the Book of Common Prayer, though it has to some overscrupulous persons seemed to wear a stricter signification, is by this time universally construed as importing negatively, that there is in the opinion of the subscriber nothing unlawful

in that Book, nothing which he may not use with a safe conscience ; and positively as a consequence that he is prepared to conform to its prescriptions. The third Article of the Canon brings in a document of a different category ; and demands from its wording, from its subject matter, and from its emphatic place in the transaction, an acceptance of another and a deeper kind. The Articles of Religion treat not of forms and ceremonies to be used, but of doctrines to be assented to. These are they which in the face of Christendom,—side by side with the Confessions and Creeds of other churches,—bear witness to the principles on which our national church bases her institutions, and undertakes to discharge her mission. They were surely not meant to furnish a table of subjects which the preacher should shun in the pulpit, or the lecturer consign to an honourable exile. They set forth on the contrary the very selected topics to which it has been deemed necessary at all hazards to secure from our pastors and teachers a loyal and a personal adhesion.

How is such adhesion to be provided for ? Our own church employs subscription for that purpose. In so doing she follows primitive examples, for subscription is amongst the very earliest recorded modes by which acceptance of a given doctrine or set of doctrines was avouched. No sooner was the church deeply troubled by controversies of faith and compelled to decide them synodically, than we find her employing this mode to guarantee orthodoxy where the faithful might ask such guarantee, or to ascertain and clear orthodoxy where it

was suspected<sup>b</sup>. In the Middle Ages subscription fell into disuse, for the concentrated and compact ecclesiastical government which then ruled did not need it. The days of controversy on fundamentals seemed to have passed away. For lesser questions there was held to be an infallible and visible arbiter, the Pope. The strong arm of church authority, backed by prompt and severe penalties, put down with ease infringements of established faith and established practice. In our own times subscription neither exists nor is wanted in churches where discipline as regards the clergy at least retains its ancient power. The late Abp. Sibour of Paris deprived of office at once and of maintenance some forty curates, chiefly on doctrinal grounds. There are many priests now in Paris silenced for opposing the new dogma of the Immaculate Conception. Authority thus absolute needs not to take a personal engagement for that which it can so readily enforce<sup>c</sup>.

<sup>b</sup> Dr. Irons has shown (Letter to the Lord Bishop of London on Subscription, pp. 19, 20, second edition,) that subscription was used at the Council of Antioch held against Paul of Samosata, A.D. 266. The Bishops there present subscribed (σημειώσασθαι) a series of dogmatical decrees, and required Paul to do so also in proof of his orthodoxy. The Bishops present at the Council of Eliberis, circiter A.D. 300, also subscribed its decrees.

<sup>c</sup> An interesting paper in the *Christian Remembrancer* for October, 1863, (Mozley) on "The Abbé Prompsault, his Life and Works," contains, pp. 335, 336, some striking illustrations of the arbitrary power exercised by the French Prelates. The writer in reply to some strictures of the Abbé Meignan contained in the *Correspondant*, upon the feebleness of our own



But this kind of discipline is quite alien from our character and institutions. Our clergy are English

ecclesiastical courts as shown in their dealings with Essays and Reviews, says,

“ We are not going to defend the incongruous and anomalous constitution and cumbrous machinery of these courts : but such as they are they are infinitely preferable to the system prevalent among our French neighbours. We are certainly debarred from saying a word against their ecclesiastical courts, for such do not exist : and when an ecclesiastic offends, or renders himself in any way obnoxious to his bishop, we must concede that the process of suspension or deprivation is, if not more satisfactory, at least more expeditious than ours. It is a very simple and summary proceeding. The poor priest, ruthlessly domineered over by his bishop, is interdicted, suspended, or deprived by him at will, frequently without the opportunity of defending himself, or any legal formality whatever, and often compelled to abandon his profession and to take some secular calling, or reduced to live on the alms of his friends, or to starve. It is true there are some *curés inamovibles*, at least in theory ; but it is very easy for the bishops to get rid of them at any time. Under the flimsiest pretext, and sometimes without any pretext whatever, the bishop can interdict or suspend a *curé* : he then appoints a *pro-curé*, and compels the *curé* to give him part of his stipend. ‘ These things,’ says a distinguished Gallican layman, in a private letter to ourselves, ‘ happen very often, and above all out of Paris. As for the other priests, they lose all position and means of livelihood, and may beg their bread in Paris, where they seek shelter.’ We have heard from two unexceptionable and independent sources, that there are at the present moment more than 200 ecclesiastics serving as coachmen or conductors in the public conveyances of the French capital, and some 400 others playing street organs, serving as porters, or begging, many of whom are the victims of episcopal caprice, injustice, arbitrariness, and tyranny. We ourselves are personally acquainted with an excellent clergyman, formerly a *vicaire* of one of the most important churches of Paris, who was suspected by the last archbishop of reading the *Observateur*



citizens, and would neither consent themselves nor be allowed by our public to hold office at the pleasure of an individual. Englishmen will not submit to penalties except after open trial and under due sentence of law : and the rights of property acquired by our clergy through the alliance of church and state add another and perhaps still more insurmountable bar to such discipline. The downfall of the Papal power in England, and the establishment of the church by the state, weakened in this manner the authority of Church rulers, and superseded the old and rude modes of dealing with clerical delinquency. The ecclesiastical law no doubt remained : but it could reach only those gross and rare offences which can be caught within the meshes of a legal indictment. We should not be prepared to promote such a remodelling of these spiritual courts as would arm them with larger and sharper powers, would simplify their cumbrous machinery, and qualify them for prompt intervention in our churches and parishes. We could not tolerate the Consistory of Calvin's Geneva, with its weekly meeting, its incessant and vexatious interferences, its army of spies to watch for and to report irregularities. The court of High Commission<sup>d</sup>, which attempted something of this kind, was but impatiently and for a short time endured.

*Catholique*, and who was interdicted in consequence, and is now living on the alms of his friends in a wretched garret.

<sup>d</sup> This court was the special organ by which the Supremacy of the crown was originally exercised. It acquired a permanent and regular form in 1583, and was abolished in 1640. "It consisted of forty-four commissioners, twelve of whom were bishops, many more privy-councillors, and the rest either clergymen or civilians. The commission, after reciting the

The more carefully and the more candidly we consider the circumstances of our church after the Reformation, the more I think shall we see that the rulers of it found in subscription almost the only security available to them. The reformed and established faith was yet insecure and militant. It had to make head against a strong and organized Papal re-action on the one hand, and against a growing spirit of Puritan fanaticism and insubordination on the other. Such dangers could only be confronted by definitely marking out the principles, the institutions, the usages which our church was prepared to own. This was done by us as by other Reformed communities; and the documents thus produced furnished at once a touchstone by which another essential point might be assured;—subscription to those documents supplied a personal guarantee of loyalty to the church in the subscriber. Subscription thus in its present shape, and in its present use as a condition for cure of souls and for preferment, came in as a substitute,—the only one

acts of supremacy, uniformity, and two others, directs them to inquire of all offences, &c. committed contrary to the said acts; and also to inquire of all heretical opinions, seditious books, false rumours, slanderous words, &c. Power is given to any three commissioners, one of whom must be a bishop, to punish all persons absent from church, or to visit and reform heresies and schisms according to law; to deprive all beneficed persons holding any doctrine contrary to the thirty-nine articles; to punish incests, adulteries, &c.; to examine all suspected persons upon their oaths, and to punish all who should refuse to appear or to obey their orders, by spiritual censure, or by discretionary fine and imprisonment." Hallam: *Constitutional History of England*: vol. i. pp. 200, 201, 7th edition.

indeed that could be found, for the ancient and mediæval discipline. The church took a personal bond of the individual that he would do that which she surrendered except in extreme cases the power to compel. The fact of having subscribed the Articles does not increase one whit a clergyman's legal obligations. It superadds a personal and a moral obligation to them. If indicted for false teaching, it is not on the fact of subscription that the charge against him will rest. The attestation of the handwriting gives the warrant of a man's word and honour: to this the church made her appeal when in exigency of circumstance she laid aside the power to coerce.

The question of subscription has two sides. Subscription operates indeed as a restraint on the teacher; but it is also a safeguard to him. It involves conditions of office which are fixed and ascertained; these once complied with the teacher is shielded from attack. He cannot be dismissed by the private and irresponsible fiat of an individual, nor by the tumultuous suffrage of a multitude. This point would assuredly become an important one if there were any prospect of subscriptions being done away with. The laity of our church are at present far less disposed on the whole towards ecclesiastical changes than the clergy. The laity are awake to the fact that the liberty of the clergy is their own slavery, if by liberty is meant the absence of any effective guarantee as to what the teaching of the clergy shall be. The church laity remark that they have not that control in this matter which is in the hands of their non-



conformist brethren. The latter, if their pastor go astray, recall him promptly to the terms of his bargain with them; and do it by arguments as cogent as those of the mediæval or modern Papal church. No such power is given to our congregations, nor is desired by them; but they will in lieu of it expect to retain that assurance which they have as to the doctrine they shall listen to, and the ceremonies they shall observe. Subscription no doubt allows a wide latitude, both in ritual and dogma. It was intended so to do; but it secures nevertheless a broad and manifest distinctiveness for our church services and our sermons. It is not in vain that our church may say to her children, "I set over you none but those who have solemnly declared their purpose, and placed that purpose on record by their signature, to teach conformably to my Articles, to minister conformably to my Office Book :—Articles and Office Book which the Sovereign and Legislature of the Realm have by special enactment sanctioned." There is little chance indeed of our laity being willing to abolish this security; and to trust themselves for vindication of their spiritual rights and religious liberties to the rude, uncertain, and clumsy procedure of an ecclesiastical court in England.

But there is one part of our subscriptions with which the laity may dispense, and which we may the more readily call on them to abolish because it is of their own invention and their own imposing. The declaration of "assent and consent to all and every thing contained in and prescribed by the Book of Common Prayer," which must under the Act

of Uniformity of 1662 be made on admission to a benefice, *that* is no test devised by the church, is no condition for church office required by the Canons. It is in its peculiarities absolutely without a vestige of ecclesiastical sanction, authority, or precedent. The wise and statesmanlike rulers of the mediæval church left free play in the matter of ceremonies for such adaptations as countries, times, and men's manners might suggest. The church of Rome with characteristic policy has abstained even from hampering herself with the fetters of unvarying uniformity, much less has she exacted for the expediencies of ceremony and ritual the fervent allegiance which attaches properly only to verities of the faith. The clause of assent and consent formed no part of the original arrangements betwixt the Reformed church and the state, for the acts of Uniformity of preceding reigns contain no such provision.

For this particular piece of legislation the church might go further in repudiating responsibility than is commonly done. No doubt our church rulers at the time of the Restoration showed little disposition to conciliate. But the fault of the disruption that then took place belongs quite as much to those who would bate nothing of what themselves thought desirable, presuming that they were too large and influential a body to be expelled\*, as to the prelates

\* "Unhappily for their cause they (the Puritans) were governed by the morbid imagination and insatiable energy of Richard Baxter, who was in favour of a bold and full declaration of all their complaints, and persuaded them that they were bound to offer every thing that they thought desirable, without



who may have thought more of having a compact and manageable community to rule, than of comprehensive moderation and national interests. The hardship of the act consisted less in the strict uniformity it required, which the bishops in those unsettled times might reasonably have felt bound to exact, which also on their side the leading Presbyterian ministers were quite ready to afford, than in the mode in which a multitude of devotional forms and ceremonies was saddled on the conscience. To be willing to *use* such forms and ceremonies is one thing: to give your unfeigned assent and consent to all and every thing of them is quite another. To ask such assent throws a scrupulous mind upon considering and reconsidering whether there is not here and there in the formularies something it would wish otherwise. One man may think the reformers did not go far enough in taking away expressions or usages introduced in the 12th or 13th century: another may wish that they had retained more of what was innocent and edifying in the mediæval service books of the church: another may be unable to concur in certain parts of the Prayer Book translation of the Psalms: another sees that the version of the passage of Job xix. introducing our Burial Office is, to say the least, of most doubtful correctness. Such scruples may seem exaggerated; but that they existed at the time the act was passed, and have existed ever since, is notorious. It is not too much to say, that the peculiar form of the regard to the sentiments of their opponents." Cardwell, *Conferences*, p. 260.

declaration was aimed precisely at the class of men who were willing to conform, but could not either in honour or consistency declare themselves perfectly satisfied with our ritual. The purpose of the clause was to compel a certain well understood class to ruin their character by attesting as regards their convictions what all knew to be untrue, or to abdicate their benefices in the church. And for this reason its application was restricted to beneficed persons only.

History shows us that the responsibility for the peculiar harshness of this Act belongs to the house of Commons. The vindictive feelings in which it is conceived may be well understood, may be even excused, if we think of the humiliations and sufferings of the royalist country gentlemen during the few years of Presbyterian ascendancy; but the weapon through which their revenge was wreaked ought to have been long ago, with other penal Acts of the like nature, swept from the Statute Book.

Speaking as churchmen, we cannot too carefully notice that the clergy had no direct share in the election of this particular house of Commons. The Clergy did not obtain a vote for the election of Knights of the Shire in respect of their benefices till 1664<sup>f</sup>. The house of Lords, in which on the Restoration the bishops had regained their seats and more than their ancient influence, endeavoured in various ways to mitigate the severity of the Act, but all conciliatory amendments were peremp-

<sup>f</sup> See Collier, Ecclesiastical History, vol. viii. pp. 463, 464. Edited by F. Barham, 1841.

torily rejected by the Commons<sup>g</sup>. The Commons, so far from supporting measures of comprehension, would not wait to see the result of the attempts made by others in that direction, but passed the Act in all haste through their own House a fortnight before the Savoy Conference was over<sup>h</sup>. Again, in 1663 the Lords sought, with the concurrence of all the Bishops, to add a rider to this clause of the act, declaring that "the subscription of assent and consent should be understood only as to practice and obedience;" but this also was rejected by the lower house<sup>i</sup>.

<sup>g</sup> The Lords proposed e. g. to lodge a power with the Crown, to dispense in individual cases with the use of the surplice, the cross in Baptism, and kneeling whilst receiving the Holy Communion; also to assign to the ministers ejected under the Bill a fifth part of the revenues of their benefices for maintenance: these and other such amendments were struck out by the Commons.

<sup>h</sup> The House of Commons passed the Act of Uniformity, and sent it to the Lords on July 9, 1661, whilst the Royal Commission under which the Conference was held had yet a fortnight to run. The Lords however were in no haste to proceed with the Bill, and threw the whole matter over till February, 1662.

<sup>i</sup> "In the session of Parliament, in the year 1663, a Bill was sent from the Commons to the Lords, for the relief of such persons as by sickness or other impediments were disabled from subscribing to the declaration of Assent and Consent to the Book of Common Prayer, required by the Act of Uniformity. The Bill passed the Lords with a clause added to it, "declaring the subscription of Assent and Consent, &c. should be understood only as to practice and obedience;" but the Commons rejected the clause, which the Lords not insisting upon, the Bill passed without it; when this clause was added by the Lords, some of them



Let not then the Clergy or the Universities stand up to defend a measure which they did not originate, which was unchristian in its immediate purpose, and which is indefensible and inconsistent with church principles in its very nature. For surely it is well understood that our ceremonies and forms of devotion are, excepting at least the Lord's Prayer, devised by man, are matters of expediency, and changeable with circumstances. Can we say this in various ways in our Articles and Prayer Book, and then rightly go on to lay these self-same human regulations as articles of belief on the conscience? Is it not too much to require

dissented to it, and entered their protestations against it, in these words, "being destructive to the Church of England, as now established. The protest was first signed by the Duke of York, and then by some few temporal Lords, but not one Bishop. See Journal of the Lords of the 25th of July, 1663." Note of Speaker Onslow in Burnet's History of his Own Times, i. 330. Oxford, 1833.

In 1689 a Royal Commission was appointed "to prepare alterations and amendments of the Liturgy and Canons." At the second meeting of the Commissioners the Bishop of Rochester (Sprat) "could not see how they could enter upon such matters, having given Assent and Consent to them: that it was to accuse the Church, and condemn it as if it needed." The Dean of Gloucester, Dr. Jane, (Regius Professor of Divinity in the University of Oxford,) "stood up and said that what the Bishop of Rochester said had convinced him, and he was of the same mind. Sprat withdrew thenceforward from the commission, and Jane only attended one other of the eighteen sessions which the Commissioners held." Copy of Alterations in the Book of Common Prayer prepared by the Royal Commissioners for the Revision of the Liturgy in 1689, printed by order of the House of Commons, 1854. p. 96.

for any production of human authorship that a man shall give his unfeigned assent and consent to "all and every thing" in it? Are not offices of devotion and the ritual which enshrines them matters of obedience from their very kind, which it is enough for a man to promise faithfully to use? Can we regard this declaration of assent and consent as in any way a vital article of our faith, or essential to the church's good order and well being? If we do, how shall we clear ourselves of the stigma which, misconception as it is, yet weighs gravely against us in the minds of some of the best and most moderate Nonconformists, that our Creed and our Prayers are the creatures of Parliament? Can we view this declaration as at all a condition essential for us to require of those admitted to spiritual trusts? How then can we explain the fact, that a man may rise to the highest and most onerous of all such trusts, the Episcopate; and never, unless he chance to have held a benefice, have this condition imposed on him?

It has been said on the highest authority, that the declaration really means nothing more than a promise to conform. We note this interpretation, for it seems to carry in it a tacit admission, that in the stricter and more literal construction the clause is indefensible. Yet if this be all that is meant by unfeigned assent and consent, what further objection can there be to reducing the words to the allowed meaning? And if reduced to that meaning, what need can there be for retaining the clause at all? For be it observed, the same Act of Uniformity in another and later part prescribes



another declaration to be made by the same individual on the same occasion, as follows: "I do declare that I will conform to the Liturgy of the Church of England as by law established." And there is besides the self-same promise of conformity to be made in the second Article of the thirty-sixth Canon.

Far be it from me to maintain that the "assent and consent to all and every thing" may not lawfully and with a good conscience be subscribed as importing nothing more than an undertaking to conform. Such laxer rendering has found eminent advocates ever since the clause was imposed. And yet the *animus imponentis* manifestly intended something more; for the clause was ingeniously adapted to strike those who would promise to conform, but who would not and could not profess heartfelt relish for every prescription of the Office book. And as if to place this point beyond doubt, the house of Commons, as we have seen, expressly rejected this sense of the clause in 1663.

But it may be objected: if you abolish this declaration, you open the door to unscrupulous men, who will occupy Church preferment without believing the Church's doctrine, or approving the Church's Ritual. Let me remark, that unscrupulous men, if they desire preferment, would not stick at the more stringent tests to obtain it. But the true reply seems to me to lie somewhat deeper. It is not to be admitted that a man who "allows the Thirty-Nine Articles" in the sense of the Canon, that is, *allaudat*, *commends* or *approves* them, can at the same time disbelieve any doctrine of the

Prayer Book. The Articles embody the three ancient Catholic Creeds: they further declare the mind of the Church of England so far as more modern controversies have obliged her to pronounce. There are no other and no different standards of doctrine recognized by the Church than these. Having asked and obtained professed adhesion to these, we have all the security for doctrinal soundness which we ought to ask. As to the Church's Ritual, what right have we to ask more than that a man should agree to use it? Is it not, as regards a prayer or a ceremony, a very common and a perfectly justifiable state of mind, if a Clergyman thinks, as Baxter or Manton did, that he may lawfully use a ceremony or a prayer, that he may well obey authority as regards it; that he ought not for such a matter to cause a schism, though it be not precisely the ceremony or prayer himself might have preferred? Is it not making something of an idol of a human ordinance, to demand for it not merely outward observance, but inward affiance also? Does not the application of such stringent and searching terms to matters of ritual weaken the like terms when wanted to test soundness in the faith, and go far to justify a lax construction of them?

I know not that one can more usefully employ a casual opportunity like the present than by endeavouring not so much to set forth any views of one's own, but rather to reflect to a venerable assembly such as this some of the impressions which suggest themselves to active workers for the church in busier scenes. It is a most remarkable sign of the times that church institutions, church shortcomings,

church progress, church difficulties, church reforms, are now amongst the most popular subjects of the day. You meet them every where, and not least this topic of clerical subscription and the Act of Uniformity. Such subjects are keenly debated at clerical meetings; the laity have an opinion upon them, and are quite ready to express it. The magazine and the daily newspaper recur to them perpetually as of never failing interest; they are themes of discussion and conversation in every social circle. The influence which goes forth from this place, the recruits for the church's work in its practical walks which you train, make judgments formed or action taken here momentous. There are those here who may assist in freeing the church from swathing bands which if ever they were supports, now at all events are galling restraints; or may help to rivet her hindrances more securely, and disable her still more, whilst she is struggling valiantly with a task already gigantic: or, worst of all, you may give hope and comfort to those who seem disposed to subvert and destroy, rather than in love and patience to amend and to improve.

There are indeed those who regard the agitation on church matters at this time as a grave reason against making any concession whatever. They fear lest by yielding any thing they do but give encouragement and vantage ground to those who seek for more. They dread touching at all the present state of things, ill compacted as they may think it, lest they fail to satisfy complainers, and afford the dislocation through which the wedge may be driven home.



No man, I think, who calmly considers the thing will assert, that a revision of the Act of Uniformity would content those who agitate these questions. No such man, I think, would deny, that there is very great reason to apprehend formidable attacks upon the whole system of doctrinal safeguards in our church. But such a prospect might reasonably suggest quite an opposite policy to the one sometimes deduced from it. Is it well, whilst keen scrutiny and unflinching discussion are searching through and through the links which unite church and state,—through the basis of our church institutions,—and through the conditions of communion and office bearing,—is it well at such a time to mix up good and bad, defensible and indefensible, vital and unimportant, essential and accidental, and to say we will stand or fall by things just as they are? Has it been our English statecraft to repel the demagogue by repudiating all improvement; and to meet a loud call for change by an obstinate re-dedication of old abuses? Is it well when vehement pressure is on the machine from within to weight the safety valve; when the tempest is abroad, to insist on cumbering ourselves with burdens which our vessel was never meant to carry? Is it not rather wise, as in state so in church, warily to disarm agitation by timely remedy of grievances; and to baffle the cry for changes by rendering it unreasonable? A moderate reform is always the truest conservatism. It is always opportune to do what is right and just, and if we desire to retain our Subscriptions, we should do well at once to simplify and remodel them<sup>1</sup>.

<sup>1</sup> Archdeacon Hare puts this point with much force: "Surely



The strength, the increasing strength, of the agitation against subscription is due to the fact, that a number of moderate, soberminded, and on the whole conservative men cannot vindicate each and every part of the present system. They believe the particular declaration of the Act of Uniformity to be indefensible in principle, unhappy in origin, and noxious in practice. A majority of the clergy of our towns, I believe, are thus minded; and being so, they must lend a not very willing, and very partial, but still powerful support to the party of movement.

Let us not think the removal of this declaration a thing of small moment. No clergyman can make a move or even express a wish for any measure of church improvement even in ritual, without having this declaration cast in his teeth. He will be plainly told, that it is not honest in him to desire that to be otherwise to which he has given in every particular his "unfeigned assent and consent." Nor will those who remark the interest with which the discussion of the subject is followed by Nonconformists, think that it is of small moment as regards that class. It was the Act of Uniformity, more especially the clause of it in question, which first threw off from the church a wise man will say, 'If a concession ought to be made, let me make it forthwith, and thus gain that only real strength which arises from being in the right. Then should a concession which ought not to be made be demanded of me, the very strength accruing to me from this act will better enable me to refuse it.' O that people could be brought to believe that right is always might, and that wrong is always weakness!" Sermon on "The Unity of the Church," p. 44. (J. W. Parker, 1845.)

of England no small part of the learning, the piety, and the soberminded religiousness of the people of England. It is to that act that we owe the origin of that "constituted dissent and schism which is the peculiar opprobrium and calamity of our church<sup>k</sup>;" by which in almost every parish we find ourselves thwarted and crippled in our attempts to do good. The passions which dictated the act have long passed away. Why retain longer that which towards dissenters now can only serve as an irritating memento of intolerance which we now disown, and of political ascendancy which we would not regain if we could? The church's future as a national institution depends simply on her hold upon the affections and the convictions of the people. To revise and amend the Act of Uniformity might not indeed gain for the church at the moment any considerable reinforcements from those without her pale. The policy which might have prevented secession altogether is not likely to win it back when it has become inveterate and organized opposition. But a measure of justice and of conciliation would of itself have no little moral effect; it would encourage and pave the way for many re-unions of which the signs and the foregatherings are already discernible.

It is by this time well understood, that a committee of the lower house of Convocation will this week

<sup>k</sup> Archdeacon Hare's Sermon on Unity, p. 36. quoted by Archdeacon Sandford (page 20) in a charge delivered in 1863, and entitled, "Measures of Church Relief." (Rivingtons.) The charge contains an eloquent plea for a revision of the Act of Uniformity.

report in favour of certain changes in subscription. And surely a reconsideration of the subject is at this time reasonable, and even necessary. Why should a Clergyman be required to vow in the first Article of the 36th Canon the self-same thing which he expressly attests in the 37th Article of Religion? Why again should he, having promised strict conformity under the 2nd Article of the Canon, be called upon, as if his word once passed could not be believed, to reiterate the self same promise under the Act of Uniformity? And if he be taking possession of a benefice, why should he on "reading himself in" be required to make over and above all the declaration of assent and consent, which is, as we are often told, nothing at all but what has been twice during the same transaction covenanted by the same individual before<sup>1</sup>? Such vain repetitions

<sup>1</sup> The argument might be carried further; for the Incumbent at "reading in" declares once more his assent to the Articles of Religion, having already subscribed them *twice* at an earlier stage of the business. For he subscribes before the Bishop at institution the form that he does "willingly and from his heart subscribe to the 39 Articles of Religion of the United Church of England and Ireland; and to the three Articles of the 36th Canon, and to all things contained in them." Now the 3rd article of the Canon is, that "he alloweth the Book of Articles of Religion, and he acknowledgeth all and every the Articles therein contained, &c. to be agreeable to the word of God."

Thus in the process of taking possession of a benefice a clergyman is called on to assent to the Articles *three several times*; to promise conformity to the Prayer Book *twice*: and in addition to declare his unfeigned assent and consent to all and every thing contained in and prescribed by the Book of Common Prayer.



can but bewilder and confuse. They weaken instead of strengthening the ideas of duty. They give occasion to artifices of interpretation, to a kind of special pleading as to subscriptions, to conventional explanations more or less unsatisfactory. And these, employed as they are at the most solemn moments of our lives, when we are contracting new and sacred responsibilities, tend to the discredit of the church, and even perhaps to warp and taint the moral sense. A subscription to the last two articles of Canon 36, would include all that we are considered to be pledged to by the multifarious subscriptions, declarations, and oaths now imposed; and would place the obligations we undertake, as such obligations should ever be placed, short, sharp, and clear before the understanding and the conscience.

We might desire to shrink from these questions altogether. But it is clearly impossible to do so. In past years it may be subscriptions were made with too little consideration, and too much as a matter of course; with a loose notion that as required by authority they must needs be right, and might be gone through like other forms without too precise a scrutiny into their literal purpose. We have now on the contrary to deal with men who are punctilious in such matters even to a fault. Laymen can be found who, but for difficulties of this kind, would have been clergymen, and who avow that they never could have brought themselves to accept the declara-

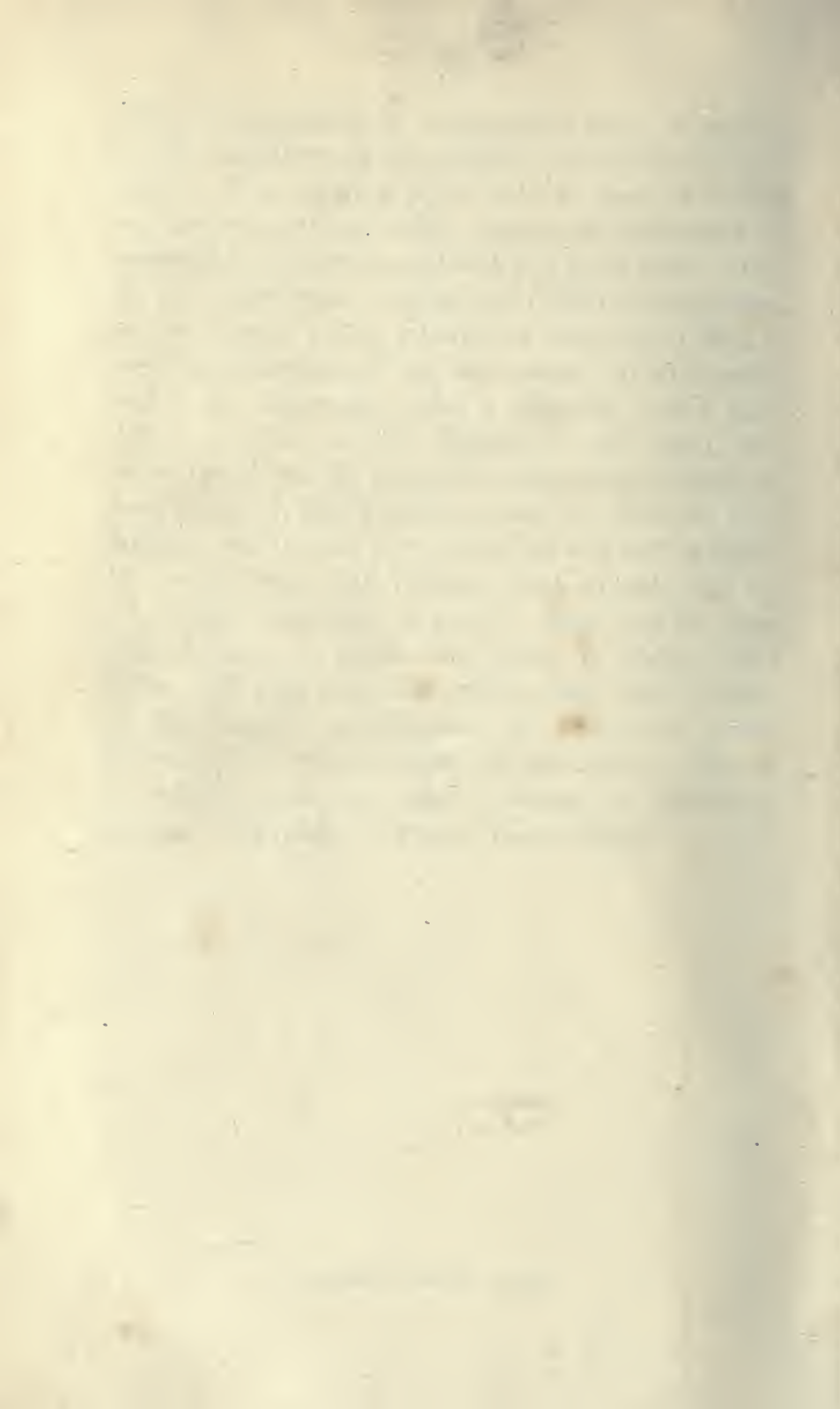
The last form only is peculiar to entrance on a benefice. The others have to be gone through at Ordination, and again on each occasion of being licensed to a Curacy.



tion of assent and consent. Such scruples are inconvenient; but their existence may serve to assure us, that there is less danger in revising subscription than might at first sight be apprehended. Men who approach the conditions of office in that spirit will take care faithfully to understand those conditions, and will be prepared religiously to act up to them. But even if our consciences were asleep in these matters, events outside would waken them. The days of easy acquiescence in any conditions it pleases authority to impose, the days of indulgent and comfortable construction of pledges to which we are committed, are evidently going by. Neither our brethren, nor the public, nor the courts of law, will permit such dealings with our obligations. We are held bound to them in their strict, literal, and grammatical sense; and against this sense no arts of interpretation will avail any thing. Our spiritual courts, no longer otiose and solitary in their ancient penetralia, have had to furbish up the old weapons unwillingly enough no doubt; they have had to review, systematize, and to create precedents; to prove and feel their reviving powers in case after case; to narrow down in judgment after judgment towards absoluteness and precision. The time is evidently drawing on when we shall be brought face to face with the momentous question, "What are the exact limits to liberty of thought in the church of England?" Meantime controversy goes on, and must go on. Discussion begets distinction: and distinction induces decision; and decision is enforced by exclusion. In the present temper of men's minds, in view of the fact

that a strict legality of construction must be applied to all conditions of communion or of office in the church, it is surely a plain duty to look to it that we impose nothing which cannot be vindicated as essential to preserve sound faith and good order. If we do not experience scruples and difficulties ourselves, we are bound to be mindful of others who do; to copy the example of him who asks, "Who is weak, and I am not weak; who is offended, and I burn not?" (2 Cor. xi. 29. Epistle for the day.) We must "hold fast the form of sound words" which we have received, like Timothy, from our spiritual forefathers; but it must be "in love" as well as "in faith." We must "prove all things;" and so only can we "hold fast that which is good." May God in these critical times so guide our rulers in church and state, that they may still exhibit that old "wisdom of the Church of England, to keep the mean between the two extremes of too much stiffness in refusing and too much easiness in admitting change." (Preface to Prayer Book, 1662.)







contents.

1. arch Bp Longley's Pastoral letter 1864
2. arch Bp Thompson's Pastoral Letter 1864
3. Bp Tait's 6 discourses. 1863
4. Arch Bp Whately's charge 1863
5. Bp O'Brien's charge <sup>of 1863</sup> 1864, 2<sup>d</sup> ed.
6. Bp Tait's letter to Hald & Sinclair 1863
7. Bp Thirlwall's 8<sup>th</sup> charge 1864
8. Girdleston's appeal for Mission 1863
9. Ogilvie on subscription 1863
10. Espin on Subscription & Uniform. act. 1864

W W Hall







